## REMARKS

Claims 11 and 13-22 are pending in this application.

The specification and abstract have been objected to for several informalities. It is respectfully submitted that the specification and abstract have been amended to overcome the issues raised in the Office Action.

Claims 11, 14-17 and 21 stand rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,530,925 to Boudard. In addition, claims 11, 14-18, 20 and 21 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 4, 893,618 to Herzberg. Finally, claims 12, 13 and 19 stand rejected under 35 USC 103(a) as being unpatentable over Herzberg. Applicant will argue the inapplicability of these rejections to the amended claims in which dependent claim 12 has been incorporated into independent claim 11.

Independent claim 11 recites, among other features, that "each fixation element is received in the chassis in such a way that it is locked by friction regarding movement in axial, rotational and angular directions, wherein the frictional locking of the fixation elements is given by means of the material of the chassis having an elasticity giving a locking effect by means of friction on the fixation elements" (emphasis added). It is respectfully submitted that Boudard and Herzberg do not disclose such a combination.

It is respectfully submitted that amended claim 11 is not anticipated by Boudard for several reasons. First, Boudard fails to disclose the use of a chassis made of an elastic material. Furthermore, Boudard does not disclose that the elasticity of the chassis provides a locking effect by means of friction on the fixation element.

Likewise, Herzberg fails to disclose that fixation elements are received in the chassis and are locked in place by friction. Furthermore, Herzberg fails to disclose that the elasticity of the chassis provides a locking effect by means of friction on the fixation element. The Office Action maintains that it would have been an obvious design choice to make the chassis out of an ultra high molecular weight polyethylene as recited in claim 13. However, this assertion ignores the advantages of using a material for the chassis with an elasticity which provides a locking effect by means of friction on the fixation element. Indeed, Herzberg actually teaches away from the present invention. In Herzberg, semicircular shell parts surround a portion of the chassis and the shell parts are pressed together to provide a locking effect on the fixation element penetrating through the chassis. In other words, Herzberg requires a separate element from the chassis to provide the locking effect on the fixation element whereas the elasticity of the chassis in the present invention provides the locking effect in the fixation element. Thus, amended claim 11 is not anticipated by nor obvious in view of Herzberg.

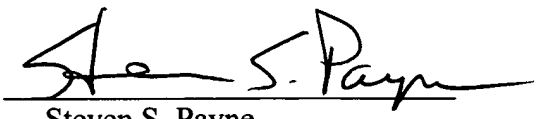
In view of the above, it is respectfully submitted that independent claim 11 is allowable over Boudard and Herzberg for at least the reasons set forth above. In addition, it is respectfully submitted that dependent claims 13-22 are also allowable over Boudard and Herzberg for at least the reasons set forth above with respect to Claim 11.

In view of the above, it is respectfully submitted that the application is now in condition for allowance. Prompt notice of same is earnestly solicited. If the Examiner

believes that a telephone interview may expedite the prosecution of the application, the Examiner is invited to contact the below attorney at the indicated telephone number.

Respectfully submitted,

Arator IP Law Group PLLC

By: 
Steven S. Payne
Registration No. 35,316

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Arator IP Law Group PLLC
1101 17th Street NW
Suite 1005
Washington, DC 20036
Phone: 202-828-9299
Fax: 202-828-9399